

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Bobby T. Sheppard,	:	Death Penalty Case
	:	
Petitioner,	:	Case No. 1:00cv493
	:	
-vs-	:	Judge Walter Herbert Rice
	:	
Margaret Bagley, Warden,	:	Magistrate Judge Merz
	:	
Respondent.	:	

**MOTION FOR EXTENSION OF TIME FOR PETITIONER BOBBY SHEPPARD
TO RESPOND TO RESPONDENT'S OBJECTIONS TO THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATIONS OF JUNE 1, 2004**

Petitioner, by and through his undersigned counsel, respectfully moves this Court for an extension of time in which to file a response to Respondent's Objections to the Magistrate Judge's Report and Recommendations of June 1, 2004. Petitioner requests that the deadline for responding to the Respondent's Objections be extended until July 7, 2004. Petitioner's response would otherwise be due on June 23, 2004. Counsel has been subject to a demanding schedule and has been required to devote time to preparing objections to the Report and Recommendation. An extension will further allow counsel to fully examine the complex issues involved in responding. Counsel for Respondent has been contacted and will not file an objection to this motion. A proposed order has been sent to Judge Merz via e-mail pursuant to the Southern District Electronic Filing Policies and Procedures Manual.

Respectfully submitted,

s/Geoffrey J. Moul

Geoffrey J. Moul (0070663)

Trial Attorney for Petitioner

Murray Murphy Moul + Basil LLP

326 South High Street, Suite 400

Columbus, OH 43215

Telephone: (614) 469-0400

Facsimile: (614) 469-0402

E-mail: moul@mmmb.com

CERTIFICATE OF SERVICE

I hereby certify that on June 23, 2004, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Charles L. Wille
Assistant Attorney General
Capital Crimes Section
30 E. Broad Street, 26th Floor
Columbus, OH 43215

s/Geoffrey J. Moul